

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 4:07CR212.3
	§	
KENDRA KATHERINE JURRENS	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant’s supervised release. After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on February 26, 2014, to determine whether Defendant violated her supervised release. Defendant was represented by Frank Henderson. The Government was represented by Heather Rattan.

On March 25, 2009, Defendant was sentenced by the Honorable Michael H. Schneider, United States District Judge, to a sentence of 49 months imprisonment followed by a three-year term of supervised release for the offense of Theft or Receipt of Stolen Mail Matter; Conspiracy to Possess Fifteen or More Counterfeit or Unauthorized Access Devices with Intent to Defraud.. Defendant began her term of supervision on February 18, 2011. On November 13, 2013, the case was transferred to the Honorable Marcia A. Crone, United States District Judge.

On February 12, 2014, the U.S. Probation Officer filed a Petition for Warrant or Summons for Offender Under Supervision (the “Petition”) (Dkt. 150). The Petition asserts that Defendant violated the following conditions of supervision: (1) Defendant shall not commit another federal,

state, or local crime; (2) Defendant shall refrain from any unlawful use of a controlled substance; (3) Defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician; and (4) Defendant shall participate in a program of testing and treatment for drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as Defendant is release from the program by the probation officer.

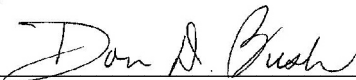
The Petition alleges that Defendant committed the following violations: (1) On February 10, 2014, a arrest warrant was issued for Kendra Katherine Jurens for the offense of False Report to a Police Officer/Law Enforcement with the Pottsboro Police Department. Said offense occurred on or about January 29, 2014; (2) On October 24, 2013, Defendant submitted a urine specimen with tested positive for methamphetamine, hydrocodone, and hydromorphone and was confirmed by Alere Laboratories; (3) On November 5, 2013, Defendant submitted a urine specimen which tested positive for hydrocodone; however, the specimen was deemed invalid due to being diluted; and (4) Defendant failed to attend substance abuse treatment sessions at Pillar County in Sherman, Texas, on October 31 and November 3, 2013. Defendant also failed to submit a random urine specimen for testing at Heritage Services, Sherman, Texas, on February 10, 2014.

At the hearing, Defendant entered a plea of true to the allegation of testing positive for methamphetamine, hydrocodone and hydromorphone. Defendant waived her right to allocute before the district judge and her right to object to the report and recommendation of this Court. The Court finds that Defendant has violated the terms of her supervised release and that her supervised release should be revoked.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984 and having considered the arguments presented at the February 26, 2014 hearing, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of five (5) months, with no supervised release to follow, to run consecutive with any other sentence being served.

SIGNED this 7th day of March, 2014.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE